FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'09 MJ 8120

UNITED STATES OF AMERICA, Plaintiff,	Magistrate Case No.:
v.	COMPLAINT FOR VIOLATION OF
Brandon SANDOVAL (1)	21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)
Carlos MENDEZ (2)	
Sergio MUNOZ (3)	18 U.S.C. § 2 - Aiding & Abetting
Jorge MUNOZ (4)	
Defendants.	

The undersigned complainant being duly sworn states:

On or about January 26, 2009, within the Southern District of California, defendants Brandon SANDOVAL, Carlos MENDEZ, Sergio MUNOZ, and Jorge MUNOZ did knowingly and intentionally import approximately 8.64 kilograms (19.01 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960 and Title 18, United States Code, Section 2.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Special Agent
U. S. Immigration & Customs Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 28th DAY OF JANUARY 2009.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Brandon SANDOVAL (1)
Carlos MENDEZ (2)
Sergio MUNOZ (3)
Jorge MUNOZ (4)

STATEMENT OF FACTS

This complaint is based upon the personal observations, investigation and information provided to U. S. Immigration and Customs Enforcement Special Agent Felix Castaneda.

On January 26, 2008, at approximately 2210 hours, Brandon SANDOVAL (SANDOVAL) and Jessi CONTRERAS (CONTRERAS), U. S. citizens, applied for entry into the United States at the Calexico, California, west port of entry. SANDOVAL was the driver and registered owner of a 1990 Toyota Tacoma. CONTRERAS was a passenger in the vehicle.

SANDOVAL gave Customs and Border Protection Officer (CBPO) Johnson, a negative Customs declaration and stated he was headed back home to Riverside, California. SANDOVAL stated he was in Mexico visiting his girlfriend. CBPO Johnson referred SANDOVAL, CONTRERAS, and the vehicle to secondary for further inspection.

In vehicle secondary, Canine Enforcement Officer (CEO) Waters utilized his assigned Human Narcotic Detection Dog (HNDD) to screen the vehicle. The HNDD alerted to the spare tire of the 1990 Toyota Tacoma. CBPO Diaz conducted a search of the vehicle which resulted in the discovery of five packages concealed in the spare tire. The packages contained a green leafy substance, which field-tested positive for marijuana. The total weight of the packages was 8.64 kilograms (9.01 pounds).

While CBPO Diaz was conducting the search of the Toyota Tacoma, he was informed by CBPO Carp of a 1999 Honda Accord which had also been referred to vehicle secondary for further inspection that may possibly be related to the Toyota Tacoma. The 1999 Honda was driven by Sergio MUNOZ (S. MUNOZ). Jorge MUNOZ (J. MUNOZ) and Carlos MENDEZ (MENDEZ) were passengers.

Agents Castaneda and Christina Johnson advised SANDOVAL, CONTRERAS, MENDEZ, S. MUNOZ, and J. MUNOZ of their rights per Miranda. SANDOVAL, CONTRERAS, MENDEZ, MUNOZ and J. MUNOZ stated they understood their rights and were willing to answer questions without the presence of an attorney.

SANDOVAL stated he knew the vehicle contained marijuana.

CONTRERAS denied knowledge of the marijuana. CONTRERAS stated he had just accompanied SANDOVAL, MENDEZ, S. MUNOZ, and J. MUNOZ into Mexico to party. CONTRERAS was subsequently released.

MENDEZ stated he knew the vehicle contained marijuana. MENDEZ stated he recruited SANDOVAL to be a load driver. MENDEZ stated he was going to be paid $200.00 for recruiting SANDOVAL. MENDEZ stated he also received payment for a previous load driver he had recruited.

S. MUNOZ stated he knew the vehicle contained marijuana. MUNOZ stated he was to contact a male subject who he knows as

"V8" via telephone once he observed the vehicle enter the United States. MUNOZ stated this would pay off a debt he owed "V8".

J. MUNOZ stated he knew the vehicle contained marijuana because while in Mexico he heard about the smuggling venture.